

## **REMARKS**

Claims 1, 2, 4 – 10, and 12 – 34 are in the application. Claims 1, 33, and 34 are currently amended; claims 3 and 11 are canceled; and claims 2 – 32 remain unchanged from the original versions thereof. Claims 1, 33, and 34 are the independent claims herein.

No new matter has been added to the application as a result of the amendments submitted herewith. In particular, claims 1, 33, and 34 are currently amended to incorporate, in large part, aspects of the previous claims 3 and 11 (now canceled).

Reconsideration and further examination are respectfully requested.

### **Claim Rejections – 35 USC § 103**

Claims 1, 2, 14 – 15, 18 – 20, 25 – 27, 33, and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Marc Schniederjans, Strategic Acquisition Management: A Multi-Objective synergistic Approach, The Journal of the Operational Research Society, Vol. 40, No. 4 (April 1989) (hereinafter, Schniederjans) in further view of Casino Gambling in New Jersey – A Report to the National Gambling Impact Study Commission, New Jersey Casino Control Commission, (January 1998) (hereinafter, NJCCC). Claims 3, 13, 22, and 23 were rejected were rejected under 35 U.S.C. 103(a) as being unpatentable over Schniederjans in view NJCCC and claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schniederjans in view of NJCCC and in further view of Masch U.S. Patent No. 5,930,762. These rejections are traversed.

Applicant notes that claims 1, 33, and 34 are currently amended to include aspects of the invention previously claimed in claims 3 and 11. Since the rejections of claims 3 and 11 depends on the references and reasoning provided regarding base claim 1, Applicant will first respond to the rejections asserted against the previous claims 3 and 11.

Applicant notes that claim 1 (also representative of base claims 33 and 34) relates to a computer-implemented method for managing risk related to the Gaming Industry including indicating in a computer system that a risk subject is a Gaming Industry entity according to the entity's status comprising at least one of: a provider of gambling activities; a gambling facility; a gambling facility operator; an employee of a gambling facility operator; and a provider of services outsourced from a gambling facility operator; receiving into the computer system data descriptive of Gaming Industry related informational artifacts with content related to at least one of: reputational risk, legal risk, regulatory risk; and risk related to monetary costs to defend an adverse position; receiving data into the computer system data descriptive of a Financial Transaction wherein the data received comprises identification data for at least one Gaming Industry entity associated with the Financial Transaction; and associating at least one informational artifact related to the at least one Gaming Industry entity associated with the Financial Transaction and at least one of: reputational risk, legal risk, regulatory risk; and risk related to monetary costs to defend an adverse position with the at least one Gaming Industry entity associated with the Financial Transaction. The method further includes generating a risk quotient comprising a quantitative value of an amount of Gaming Industry related\_Risk, wherein calculating the risk quotient criteria comprises a value determined by the steps of: associating a numerical weight with each of a plurality of risk variables; associating one or more of the risk variables with the data descriptive of details of a Financial Transaction; determining a numerical value based upon the content of the data descriptive of details of a Financial Transaction associated with the one or more risk variables; and multiplying the numerical value based upon the content by the numerical weight associated with each of the risk variables associated with the data descriptive of details of a Financial Transaction. Additionally, the method includes generating a report comprising data descriptive of the informational artifacts associated with the at least one Gaming Industry entity associated with the Financial Transaction.

Thus, it is clear that Applicant claims generating a risk quotient comprising a quantitative value of an amount of Gaming Industry related Risk, wherein calculating the

risk quotient criteria comprises a value determined by the steps of: associating a numerical weight with each of a plurality of risk variables; associating one or more of the risk variables with the data descriptive of details of a Financial Transaction; determining a numerical value based upon the content of the data descriptive of details of a Financial Transaction associated with the one or more risk variables; and multiplying the numerical value based upon the content by the numerical weight associated with each of the risk variables associated with the data descriptive of details of a Financial Transaction.

Regarding the cited and relied upon Packwood which was cited to disclose generating a risk quotient comprising a quantitative value of an amount Risk, Applicant notes that claims 1, 33, and 34 are currently amended to recited "generating a risk quotient comprising a quantitative value of an amount of Gaming Industry related Risk". Referring to Packwood, Applicant notes that Pack discloses a number of user defined risk factors associated with the operation of a business. Further, Packwood discloses a user selects a value ranges for the user defined risk factors.

Applicant respectfully notes that none of the disclosed risk factors are the same as Applicant's claimed Gaming Industry related Risk. Furthermore, while Applicant claims a risk quotient comprising a quantitative value of an amount of Gambling Industry related Risk Packwood merely discloses assigning a range of values to the user defined risk factors therein. Applicant notes that the Packwood assigned value ranges are not disclosed as being calculated to determine a quotient (i.e., the result of a calculation).

Accordingly, Applicant submits that Packwood fails to disclose that for which it is cited and relied upon for disclosing. Also, the combination of Packwood with Schniederjans and NJCCC does not correct the deficiencies of Packwood.

Regarding the cited and relied upon Masch which was cited to disclose associating a numerical weight with each of a plurality of risk variables; associating one or more of the risk variables with the data descriptive of details of a Financial Transaction; determining a numerical value based upon the content of the data

descriptive of details of a Financial Transaction associated with the one or more risk variables; and multiplying the numerical value based upon the content by the numerical weight associated with each of the risk variables associated with the data descriptive of details of a Financial Transaction, Applicant submits that Masch does not disclose or suggest the specific risk quotient calculating operations claimed. Instead, Masch speaks of a number of components and strategies. However, none of the disclosed components and strategies can fairly be read to disclose or even suggest the specific steps/operation claimed by Applicant to calculate the risk quotient.

Accordingly, Applicant submits that Masch fails to disclose that for which it is cited and relied upon for disclosing. Also, the combination of Masch with Schniederjans and NJCCC does not correct the deficiencies of Masch.

Claims 4 – 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schniederjans in view of NJCCC and further in view of Carreker, Antinori Forms Risk Management Unit: New Service Helps Banks Identify, Reduce Operations Risk,” (Nov. 17, 1997); claims 9 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schniederjans in view of NJCCC and further view of official notice; Claim 16 was objected under 35 U.S.C. 103(a) as being unpatentable over Schniederjans in view of NJCCC and in further review of Tony Batt, “Indians protests proposed changes in gaming regulations,” Las Vegas Review (April 27, 1994); Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schniederjans in view of NJCCC and further view of Axcion®, PerformanceData to Link List Databases; Agreement Provides Credit Data, Real Property/Demographic Data, PR Newswire, (July 27, 1999); Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schniederjans in view of NJCCC and in further view of Ralph Vartabedian, US Mounts High-Stakes Computer Reform Effort; Technology: The aim is to reverse decades of failing performance. Experts are encouraged at changes’ breadth. Series: Fedearl Computers: Is System Haywire? Last of Three Parts, Los Angeles Times (December 10, 1996); Claims 24 and 28-29 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schniederjans in view of NJCCC and in further view of Greco, U.S. Patent No. 5,809,478; Claims 30 –

32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schniederjans in view of NJCCC and in further view of Beverina, U.S. Patent No. 7,231,327. Each of these rejections are traversed.

Applicant respectfully submits that each of the remaining rejections relies on the already-disputed disclosure of Schniederjans, NJCCC, Packwood, and Masch. Inasmuch as the base claim 1 is believed to be patentable over the combination of Schniederjans, NJCCC, Packwood, and Masch, Applicant respectfully submits that each of the remaining dependent claims are also patentable under 35 USC 103(a).

Therefore, Applicant requests the reconsideration and withdrawal of all of the pending claims under 35 USC 103(a), and the allowance of same.

## **C O N C L U S I O N**

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

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Date

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